INDEX

	PAGE
Statutes Involved	1-2
Rules of Court Involved	2-4

STATUTES INVOLVED

28 U.S.C. § 1254 (1958):

> "*Courts of appeals; certiorari* • • •. Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:
>
> "(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree • • •."

Act of December 23, 1963, Pub. L. 88-241, § 1, 77 Stat. 479, 612-613, D. C. Code (Supp. IV, 1965):

> "§ 11-321. *Appellate jurisdiction.*
>
> "(a) In addition to its jurisdiction otherwise conferred by law, the United States Court of Appeals for the District of Columbia Circuit has jurisdiction of appeals from judgments of the District of Columbia Court of Appeals, including judgments of that court rendered on review of orders and decisions of the administrative agencies of the District of Columbia specified by section 11-742 (a)."

• • • • • • • •

> "§ 17-101. *Appeal from District of Columbia Court of Appeals—Filing, form and contents of petition.*
>
> "The petition for the allowance of an appeal from a judgment of the District of Columbia Court of Appeals shall be in writing and shall be filed with the clerk of the United States Court of Appeals for the District of Columbia Circuit. The contents of the petition shall conform with requirements that the United States Court of Appeals prescribes by rule."

> "§ 17-104. *Determination of Appeal from District of Columbia Court of Appeals.*
>
> "If the United States Court of Appeals for the District of Columbia Circuit allows an appeal

pursuant to section 11-321 and this chapter, it shall review the record on appeal, and shall affirm, modify, vacate, set aside, or reverse the judgment, and may remand the cause and direct the entry of such appropriate judgment or order, or require such further proceedings to be had, as is just in the circumstances."

RULES OF COURT INVOLVED

Rules of the Supreme Court of the United States:

"Rule 22. *Review on Certiorari—Time for Petitioning.*

* * * * * * * *

"2. A petition for writ of certiorari to review the judgment of a court of appeals in a criminal case shall be deemed in time when it and the certified record required by Rule 21 are filed with the clerk within thirty days after the entry of such judgment. A justice of this court, for good cause shown, may extend the time for applying for a writ of certiorari in such cases for a period not exceeding thirty days. * * *"

"Rule 31. *Procedure on Application for Extraordinary Writs.*

"1. The petition in any proceeding seeking the issuance of a writ by this court authorized by 28 U. S. C. § 1651 (a) or 28 U. S. C. § 2241 shall be prefaced by a motion for leave to file such petition, and both shall be printed. All contentions in support of the petition shall be included in the petition. The case will be placed upon the miscellaneous docket when forty copies of the printed papers, with proof of service as prescribed by Rule 23 (subject to paragraph 5 of this rule), are filed with the clerk and the docket

fee is paid. The appearance of counsel for the petitioner must be entered at this time.

"2. If the petition seeks issuance of a common law writ of certiorari under 28 U. S. C. § 1651 (a), there must also be filed, at the time of docketing, a certified copy of the record, including all proceedings in the court to which the writ is sought to be directed. The petition shall, except for the addition of the motion for leave to file, follow as far as may be the form for a petition for certiorari prescribed by Rule 23, and shall set forth with particularity why the relief sought is not available in any other court, or cannot be had through other appellate processes. The respondent may, within thirty days after receipt of the motion and petition, file forty printed copies of a brief in opposition, as provided in Rule 24."

* * * * * * * *

Rules of the United States Court of Appeals for the District of Columbia Circuit Governing Review of Cases from the District of Columbia Court of Appeals:

"Title I. *Provisions Relating to the Petition for Allowance of an Appeal.*

"Rule 1. *Character of Cases which May be Considered.*

"Allowance of an appeal from the District of Columbia Court of Appeals is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons therefor. * * *"

"Rule 9. *Entry of Orders Allowing or Denying Appeal.*

"Whenever an appeal is allowed or denied, the clerk of this court shall enter an order to that effect, and shall forthwith notify the court below and the parties in this court or their attorneys of record. No mandate issues upon the denial of an appeal."

"Rule 10. *Reconsideration.*

"Whenever an appeal is denied, a petition for reconsideration may be served and filed within 5 days after the entry of the order denying the appeal. The respondent may serve and file an answer thereto within 5 days after the filing of the petition for reconsideration. No further papers shall be filed without leave of this court."